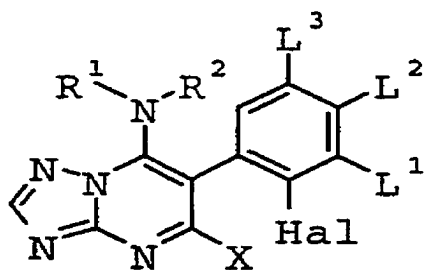


AMENDMENTS TO THE CLAIMS

1-9. (Cancelled)

10. (Previously Presented) A compound of formula I



I

in which

Hal is halogen;

L<sup>1</sup>, L<sup>3</sup> independently denote hydrogen, halogen, or C<sub>1</sub>-C<sub>4</sub>-alkyl;

L<sup>2</sup> is hydrogen, halogen, C<sub>1</sub>-C<sub>4</sub>-haloalkyl, or NH<sub>2</sub>, NHR<sup>b</sup>, or N(R<sup>b</sup>)<sub>2</sub>,

R<sup>b</sup> is C<sub>1</sub>-C<sub>8</sub>-alkyl, or C(=O)-A, in which

A is C<sub>1</sub>-C<sub>8</sub>-alkyl;

wherein at least one from L<sup>1</sup>, L<sup>2</sup>, and L<sup>3</sup> is not hydrogen;

X is halogen, C<sub>1</sub>-C<sub>6</sub>-alkyl, or C<sub>1</sub>-C<sub>6</sub>-alkoxy;

R<sup>1</sup> and R<sup>2</sup> together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one

nitrogen atom and one sulfur atom, which ring may be substituted by one to three  $R^a$  radicals;

$R^a$  is  $C_1$ - $C_6$  alkyl.

11. (Previously Presented) The compound of formula I according to claim 10, in which

$R^1$  and  $R^2$  together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, being optionally substituted with one or two  $C_1$ - $C_4$ -alkyl groups.

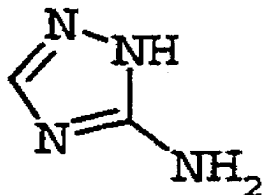
12. (Previously Presented) The compound of formula I according to claim 10 in which  $R^1$  and  $R^2$  together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, being optionally substituted with one or two methyl groups.

13. (Previously Presented) The compound of formula I according to claim 10 in which X is halogen.

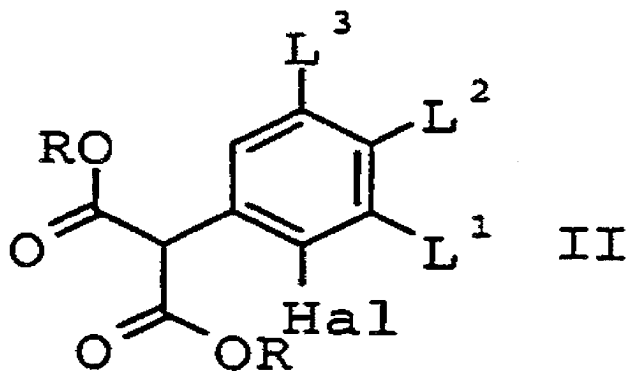
14. (Previously Presented) The compound of formula I according to claim 10 in which the 6-(2-halogenphenyl)group represents one of the following moieties:

2,3,5-trifluorophenyl; 2-F,4- $CF_3$ -phenyl; 2-F,5- $CH_3$ -phenyl; 2-Cl,4-F-phenyl; 2-F,4-Cl-phenyl; 2-F,4-Br-phenyl; 2-Cl,4-Br-phenyl; 2,3-difluorophenyl; 2,4-difluorophenyl; 2,4,5-trifluorophenyl; 2,3,4-trifluorophenyl; 2-F,4-NHC(O) $CH_3$ -phenyl; and 2-Br,3,5-difluorophenyl.

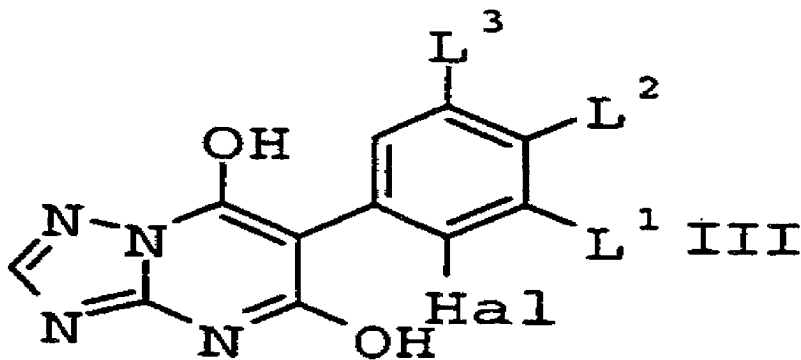
15. (Currently amended) A process for the preparation of the compound of formula I as defined in claim 13 which comprises reacting 5-amino-1,2,4-triazole



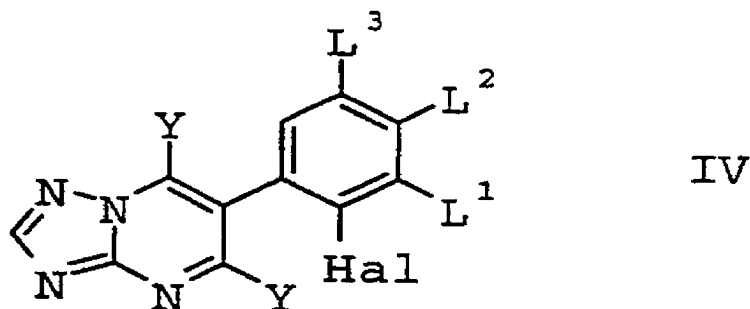
with 2-phenyl-substituted malonic acid ester of formula II,



wherein  $\text{Hal}$ ,  $\text{L}^1$ ,  $\text{L}^2$ , and  $\text{L}^3$  are as defined in formula I, and  $\text{R}$  denotes  $\text{C}_1\text{--C}_6\text{-alkyl}$ , under alkaline conditions, to yield compounds of formula III,



which are subsequently treated with a halogenating agent to give 5,7-dihalogen-6-phenyl-triazolopyrimidines of formula IV



in which Y is halogen, and which is reacted with an amine of formula V

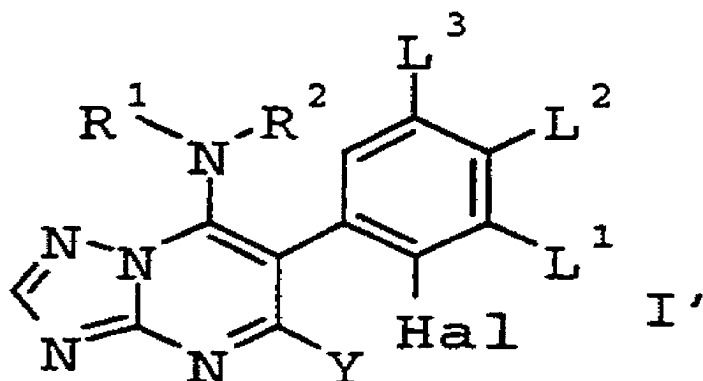


in which R<sup>1</sup> and R<sup>2</sup> are as defined in claim 10 together with the interjacent nitrogen atom represent a saturated or partially unsaturated 5- or 6-membered heterocycle, containing one nitrogen atom or one nitrogen atom and one sulfur atom, which ring may be substituted by one to three R<sup>a</sup> radicals;

R<sup>a</sup> is C<sub>1</sub>-C<sub>6</sub> alkyl

to produce compounds of formula I, as defined in claim 13.

16. **(Currently amended)** A process for the ~~preparation~~ preparation of the compound of formula I according to claim 10 wherein X is C<sub>1</sub>-C<sub>10</sub>-alkoxy, which comprises reacting 5-halogen-triazolopyrimidine of formula I',



wherein Y is halogen, with compounds of formula VI,



which is an alkoxylate, wherein M is ammonium-, tetraalkylammonium-, alkalimetal- or alkaline earth metal cation, to produce compounds of formula I.

17. (Previously Presented) A composition suitable for controlling phytopathogenic fungi, comprising a solid or liquid carrier and the compound of the formula I as claimed in claim 10.
18. (Previously Presented) A method for controlling phytopathogenic fungi, which comprises treating the fungi or the materials, plants, the soil or the seed to be protected against fungal attack with an effective amount of the compound of the formula I as claimed in claim 10.